

# COHEN & GREEN

Hon. Victor Marrero, U.S.D.J.  
United States District Court  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007

USDC SDNY  
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**Re: Jones et al. v. United States Postal Service, 20-cv-6516-VM**

Dear Judge Marrero:

I write regarding the case named above, which has now been dismissed pursuant to settlement, but will still have fee litigation if the parties cannot settle the issue. *See* ECF No. 124.

Under Fed. R. Civ. P. 25(d), current President Joe Biden was “automatically substituted” as a defendant for former President Donald J. Trump on January 20, 2021. But since the caption and docket does not yet reflect that substitution, under Rule 25 the Court “may order substitution at any time (though “the absence of such an order does not affect the substitution”). Fed. R. Civ. P. 25(d).

Thus, Plaintiffs ask the Court — as a matter of housekeeping — to enter an order making that substitution, and directing the Clerk to update the Caption. Now-Defendant President Biden’s name should appear in the caption as follows:

Joseph R. Biden, *as President of the United States*.

Defendants do not object to this request.

## Request GRANTED.

The Clerk of Court is respectfully directed to amend the caption in this matter to substitute President Joseph R. Biden, *as President of the United States*, for President Donald J. Trump.

## SO ORDERED.

May 14, 2021

DATE

  
VICTOR MARRERO, U.S.D.J.

Respectfully submitted,

/s/

J. Remy Green

*Honorific/Pronouns: Mx., they/their/them*

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